

RECEIVED
CENTRAL FAX CENTER

MAY 18 2006

OFFICIAL

CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000
Evanston, Illinois 60201
Telephone 847 - 905 - 7111
Facsimile 847 - 905 - 7113

Date: MAY 18, 2006

To: EXAMINER NGUYEN, THANH T.
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (571) 273-8300

From: FRANK C. NICHOLAS
Phone #: (847) 424-2521

Client/Matter No.: AUS920000801US1 (9000/11)

of Pages: 5

(including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL 847/905-7111, Ext. 112 AND ASK FOR JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

MAY 18 2006

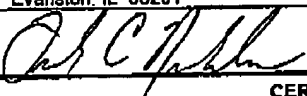
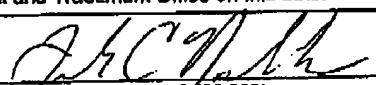
Under the Paper Reduction Act of 1996, no portion of this document is required to be retained in a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Attorney Docket No.	AUS920000001US1 (9000/11)
	Application Number	09/731.624
	Filing Date	DECEMBER 7, 2000
	First Named Inventor	STEVEN M. FRENCH
	Group Art Unit	2144
	Examiner	NGUYEN, THANH T.

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Petition for Extension of Time Request (dup) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawing Sheets <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/68) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Status Request on Appeal Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below): <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.

CALCULATION OF FEE

				Small Entity		or		Large Entity	
	Claims After Amendment		Highest No Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus		0	x \$25=	0		x \$50=	
Indep		Minus		0	x \$100=	0		x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=	—		+ \$360=	
					total add'l fee		\$ 0	total add'l fee	
							\$ 0		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Omington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	May 18, 2006
CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 to the U.S. Patent and Trademark Office on this date.			May 18, 2006
Signature	 FRANK C. NICHOLAS (33,983)	Date:	May 18, 2006

PTO/USPTO (12-97), approved for use through 9/30/99. One 0051-0031. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the proper Marking Act of 1901, no further action is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Attorney Docket No	AUS920000801US1 (9000/11)
	Application Number	09/731,624
	Filing Date	DECEMBER 7, 2000
	First Named Inventor	STEVEN M. FRENCH
	Group Art Unit	2144
	Examiner	NGUYEN, THANH T.

RECEIVED
CENTRAL FAX CENTER

MAY 18 2006

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Petition for Extension of Time Request (dup) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawing Sheets <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Rounding Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Status Request on Appeal Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed.		

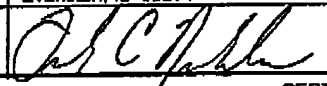
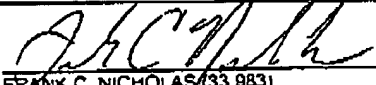
CALCULATION OF FEE

	Claims After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		0
Indep.		Minus		0
First Presentation of Multiple Dep. Claim				

Rate	Add'l Fee
x \$25=	0
x \$100=	0
+ \$180=	--
total add'l fee	\$ 0

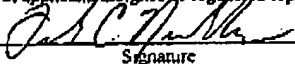
or

Rate	Add'l Fee
x \$50=	
x \$200=	
+ \$360=	
total add'l fee	\$ 0

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	May 18, 2006
CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 to the U.S. Patent and Trademark Office on this date:			May 18, 2008
Signature		Date:	May 18, 2008
FRANK C. NICHOLAS (33,983)			

**RECEIVED
CENTRAL FAX CENTER****MAY 18 2006**

Certificate of Facsimile
I hereby certify that this correspondence is being
transmitted by facsimile to (571) 273-8300 to the U.S.
Patent and Trademark Office May 18, 2006
(Date of Transmission)

FRANK C. NICHOLAS (31983)
Name of applicant, assignee or registered representative

Signature
May 18, 2006
Date of Signature

PATENT
Case No.: AUS920000801US1
(9000/11)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re patent application of:)	
)	
STEVEN M. FRENCH, ET AL.)	Examiner: NGUYEN, THANH
)	
Serial No.: 09/731,624)	
)	Group Art Unit: 2144
Filed: DECEMBER 7, 2000)	
Title: METHOD AND SYSTEM FOR)	
GENERATING A LIST OF OPERATING)	
SYSTEMS FOR A TARGET DEVICE)	

STATUS REQUEST ON APPEAL BRIEF

Mail Stop Appeal Briefs - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Appellants filed an appeal brief on September 26, 2005, and re-filed the brief November 17, 2005 in an effort to expedite prosecution in light of a failure of PAIR to indicate receipt of the September 26, 2005 brief.

May 18, 2006
Case No.: AUS920000801US1 (9000/11)
Serial No.: 09/731,624
Filed: December 7, 2000
Page 2 of 2

Appellants now note that the status of the matter according to PAIR remains unchanged, although copies of both filings of the brief are available in the image file wrapper.

Therefore, Appellants request that this matter proceed to a decision from the Board.


SUMMARY

The Appellants respectfully request maintenance of their appeal, and submit that claims 1-27 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

Dated: May 18, 2006

Respectfully submitted,
STEVEN M. FRENCH, et al.

CARDINAL LAW GROUP
1603 Orrington Avenue, Suite 2000
Evanston, IL 60201
(847) 905-7111



FRANK C. NICHOLAS,
Registration No. (33,983)
Attorney for Appellants